

KELLOGG IN DEMAND

That the rush automobile trip into Palolo Valley made by Mr. Kellogg, the expert hydraulic engineer, before his departure after investigating the Nuuanu dam had vital connection with the Palolo water case is clear enough now.

Yesterday Deputy Attorney General F. W. Milverton filed an application in the Supreme Court for a commission to issue to Ed. Tedford, a notary public for the county of Orange, California, to take the testimony of H. Clay Kellogg, residing in the city of Santa Ana in that county, the testimony to be used upon the hearing of the cause, "Palolo Land & Improvement Co., petitioner, and appellee, vs. Territory of Hawaii, Kaane Kaunaka et al.," now pending on appeal to the Supreme Court from a decision by Mrs. M. K. Nakuina, Commissioner of Private Ways and Water Rights.

The application is based upon affidavits of Attorney General E. C. Peters, Land Commissioner J. W. Pratt and Mr. Milverton. Peters relates the story of the hearing before the Commissioner, with its many continuances, and tells about the test made by his department on behalf of the Territory with coloring matter to ascertain whether the springs of Pukele and Mahoe in Palolo Valley were fed in whole or in part by the waters of Kaea claimed by the petitioners exclusively. He makes out that during all the time the case pending in the Commissioner's court the respondents were unable to find an expert who could testify on the point in question, which was decisive of whether or not the Territory and other respondents had any rights in the Kaea waters.

It was only after the decision by Mrs. Nakuina, on about July 18, that the Attorney General became aware that there was such an expert within the Territory in the person of Mr. Kellogg. This expert's services he secured only upon the express condition that Mr. Kellogg was not to be detained in the Territory as a witness beyond July 21. Mr. Kellogg had convinced him that the test already mentioned failed because those employing it neither used sufficient coloring matter nor gave it sufficient time to operate.

Mr. Pratt testifies to the inability of the Territorial authorities to find an expert while the case was pending in the court below.

Mr. Milverton, who had charge of the case throughout, gives similar testimony to that of the others, with other particulars, and, after telling of "a careful examination" made by Mr. Kellogg of Palolo Valley and of the waters thereof, says that Mr. Kellogg, if permitted to give evidence, will testify substantially as follows:

"That for a period of about twenty-two years he has been a hydraulic engineer, and has constructed several large irrigation systems; that he has made a particular and careful study of subterranean waters and their relation to streams and other visible sources of supply, and has developed a large quantity of underground water for irrigation systems. That he has made a thorough investigation of and is familiar with the development of subterranean waters throughout the United States, and has made an exhaustive study of the same. That on the 20th day of July, A. D. 1906, he carefully examined the Palolo Valley in order to determine the relation of the water appearing at different points therein. That he examined said valley beginning at the upper end of the watershed of the Kaea stream, and carefully traced the stream down for a distance of at least one mile, where the water of Kaea disappeared. That from the point where the water disappears the channel or creek bed continues down through the valley of Palolo to below a point known as the Mahoe dam, near which point water reappears in the stream bed in large quantities, the stream being there known as the Pukele stream. That the Palolo Valley forms a well-defined watershed, through which the bed of the Kaea stream and the channel in continuation thereof down to below the said Mahoe dam is the thread, and said Kaea stream and the channel in continuation thereof and the Pukele stream form the lowest portion of said Palolo Valley, or the line of drainage. That the said watershed is completely land-locked, and that there is no other point through which the water of such watershed could find an outlet except down the Pukele stream. That the Pukele stream is the only natural line of drainage for the water of Kaea. That the principal source of supply affecting this watershed is the Kaea stream. That the living water forming the Kaea stream and the Pukele stream and Mahoe springs are all in the same watershed and the same common line of drainage, and that the Kaea water forms the principal but not the sole source of supply of the Pukele stream and the springs at or near the Mahoe dam."

The repairing of the marine railway has been rushed and will be far enough ahead at noon today to allow the steamship Maui to be hauled up for repairs. As soon as the Maui is overhauled she will be put on in the place of the W. G. Hall, which will be laid up for some weeks to allow the shipping of new boilers.

Mr. Milverton further declares: "That the testimony of said H. Clay Kellogg is necessary and material to a proper determination of said proceeding, and that said testimony could not, with due diligence, have been secured at the hearing of said proceeding before the said Commissioner, or at any time prior to the 20th day of July, A. D. 1906."

Notice is given to the petitioner and its counsel that the application for a commission will be made to Chief Justice Frear at 10 a. m. on July 30, at the Supreme Court room.

A CHANCE TO GET HOMES OFFERED

Fourteen lots in the Hauula tract, on the other side of this island, are offered for sale by Land Commissioner Pratt. In size the lots range from four and one-tenth acres to twelve and one-hundredth acres.

Although appraised at \$75 an acre by John Kidwell, a recognized agricultural land expert, the Commissioner puts the lots up at \$25 an acre. His reason for making such a cut, as stated to an Advertiser reporter, is not based on any disagreement with the appraiser.

Mr. Pratt desires to give willing land improvers a chance to develop the soil without too great a capital outlay for the ground at the outset. The Government will, in his view, be well repaid from the taxable value the land will have when improved. This besides the advantage of turning the public domain into ready cash for paying off the Territorial bonded indebtedness, whereas otherwise it might lie fallow and unproductive for many years.

As with some other disposals of land recently determined on, the terms of sale of the Hauula lands do not contain the residence condition. In this respect Mr. Pratt desires to give an opportunity to men working for wages in the neighborhood of cultivating plots of land for themselves, ultimately when their circumstances permit to become their actual homesteads. Another class of people he has in view of benefiting is men of moderate means whose vocations are in town, who may have a bent for cultivating the soil and would gratify it by improving a place in the country to the benefit of themselves and the Territory.

Very shortly the Commissioner will open other lands across the way in the same section. The proposed extension of the railway from Kahuku into the Koolau settlements will run within a few hundred feet of the Hauula lots. Briefly put, the terms of sale are as follows:

1. Ten per cent. down at sale, ten per cent. one year from sale, and the balance in four equal instalments two, three, four and five years from sale, with interest on unpaid balances of 5 per cent. per annum.
2. Purchaser to destroy lantana and other vegetable pests and prevent future introduction thereof.
3. Purchaser to plant not less than five fruit trees to the acre every year from the end of the first to the end of the fifth year.
4. From the beginning to the end of the purchasing period a fence along the boundary between the lot and unoccupied Government land to be maintained.
5. Pay all taxes.
6. Make no assignment or sublease without the written consent of the Commissioner.
7. Shall allow agents of the Government at all times to enter and examine the premises.
8. At the end of five years, if all the conditions have been fulfilled, the purchaser shall receive a fee simple title to the land.
9. In case of default the Commissioner may, with or without legal process, and without notice, demand or previous entry, take possession of the premises. In case of forfeiture the land shall be sold at auction, either as a whole or in parcels, for cash or on terms of time payment in the discretion of the Commissioner, and if such sale shall result in an advance on the original price the original purchaser shall receive therefrom the amount of his payments to the Government on account of purchase without interest and a pro rata share in such advance in proportion to his payments. If such sale shall result, however, in a less price than the original the amount returnable to the original purchaser shall be charged with a pro rata amount of such decrease proportioned to the amount of his payments.

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WILLIAM HAYWOOD IS NEW AMERICAN CONSUL AT SEOUL

(Mail Special to the Advertiser.)

WASHINGTON, D. C., July 15.—The transition in this city since the adjournment of Congress has been very marked. The President left Washington the same day that Congress adjourned. Several

of his cabinet speedily departed for their own homes or to places of vacation. For six months there had been little but rush and tear in the consideration and transaction of public business. Everybody was worn out.

Great calm followed and followed suddenly. Washington has not known a period of such quiet in every branch of the government since Roosevelt became President as there has been since he left for Oyster Bay. There has been a little activity in the departments in proceedings to put the sweeping laws of the recent session into operation. Secretary Wilson has been working to get the inspection of the packing houses into working order. The Interstate Commerce Commission has been making ready to put the railroad rate regulation law into effect late in August and also to begin an investigation of grain elevators in the West under a resolution adopted by the Senate late in the session on motion of Senator La Follette. The Treasury Department has been wrestling with the public building problem, incident to the authorization of over 200 new public buildings. The Supervising Architect's office has been sending out advertisements for bids for these various projects, including an advertisement for bids for the purchase of a site at Honolulu for a postoffice, courthouse and custom house at a cost of \$150,000. The advertisements went out July 11 and the bids will be opened in this city September 17. The entire sum of \$150,000 is immediately available as it was not only authorized on the omnibus public building law, but appropriated in a separate appropriation bill.

PURCHASE DELAYED. It is not likely, however, that the purchase of a site at Honolulu will be completed for many months. After the bids are in, it is not unlikely that the Treasury Department will want to send a special agent there to examine into the sites offered and make recommendations to the department based on the availability of the sites offered and the money asked by the respective owners. Then the title must be carefully searched by the Department of Justice before the government can accept deed to the property and pay over the money.

MR. HAYWOOD'S CONSULATE. The following article recently appeared in the Washington Times with reference to Mr. William Haywood, who formerly resided in Honolulu:

"One of the most important consular posts created by the new diplomatic and consular reorganization bill is the consulate general at Seoul, Korea, which is expected by State Department officials to prove also one of the most difficult. To this post is being sent one of the ablest additions to the service that Secretary Root could find—William Haywood, of this city. With a long and brilliant record in consular and international commercial work behind him, it is anticipated that Mr. Haywood will live up to the expectations of the Administration and open up the new field in Korea to American trade."

"Mr. Haywood is already preparing to leave for his new post and expects to be able to take up the duties of his office early in September. This will not be done, however, till he has had conferences with Luke E. Wright, the new American Ambassador at Tokio, as to the situation in Korea, as affected by the Japanese protectorate."

"This protectorate, which is galling to Koreans, is responsible for the most difficult phase of the new work of Mr. Haywood. At the present time the situation at Seoul is reported to be alarming."

"Japanese police officers are reported to have surrounded the palace, holding the Emperor virtually a prisoner. To the American consulate in Korea and the State Department the Emperor has made requests that an asylum be afforded him by this government, as he fears assassination at the hands of the Japanese."

"The request of the Korean Emperor to be given protection in the American consulate, which was formerly the legation, has been denied by this government. So far as this government is concerned, there is no Emperor in Korea, and the former ruler is looked upon as a subject of the Emperor of Japan, the same as any other Korean or Japanese."

"Prince Min, a leading statesman of the little Hermit Kingdom, whose office as Minister to France was abolished as a result of the protectorate, came to America to make a protest and appeal to President Roosevelt as the 'humane ruler,' but the tragic suicide of his brother on account of the political situation, just before his arrival on American soil, completely unnerved him and his plea developed to be only a feeble statement of the situation. Even then he was not officially recognized by the State Department. This incident was followed by the return to his native country of Mr. Kim, the Korean charge d'affaires in Washington."

"When Korea lost her identity in the diplomatic world, E. V. Morgan, formerly a clerk in the State Department, was American Minister, while Gordon Paddock, of New York, was secretary of legation, and vice and deputy consul general. Since the legation was abolished Mr. Paddock has remained at the post in a consular capacity."

"Mr. Haywood's connection with the State Department dates back many years. For several years he was a clerk in the department, and was later confidential clerk to different assistant secretaries. He was appointed consul general to Honolulu in 1897, he being the last person to hold that office. When Hawaii was passed into American control, Mr. Haywood was made the first revenue commissioner for the islands, and in 1901, he resigned this position to become the agent in this country of the Hawaiian planters, which office he has since held. While in Honolulu for this government, Mr. Haywood made an excellent record, especially during the Spanish-American war. He will be accompanied to Korea by his wife and son and daughter."

CONTROL OF HOUSE MAY CHANGE.

A peculiar feature of congressional politics just at present is the scepticism among men of both parties, who come into Washington, about the control of the National House during the last half of President Roosevelt's administration. Three months ago the Democrats here were in high feather. With the wind-up of Congress these Democrats became depressed and practically every man of their party faith, returning here, who voices his confidential opinion, says that a Democratic victory cannot be figured out.

The Republicans left Washington for their homes, well satisfied with what Congress had done. The President's commendation for the legislation enacted were ringing in their ears. They saw in that commendation a keynote for their own stumping tours. But the report has been brought back here repeatedly since then that the people are not crediting Congress with the sweeping enactments of the session, but are crediting the President. So enthusiastic are they over the President's activity that nothing is said about what this or that Congressman did or how he voted.

"There is wild fire abroad this year," said a member of the cabinet, who has been out in the states every week or two, as he commented in pessimistic vein today about the situation. "I don't believe in the prophesies that we are going to have either an easy campaign or an easy victory."

One of the very first tasks the Republican Congressional Committee and also the individual Republican Congressmen will have to undertake, is to drill into the popular mind an impression that somebody, except the President, is responsible for the laws of the last six months. They do not look upon that as a very pleasant effort. It must be done in considerably part by indirection,

KOREANS ARE THE BEST WORKERS

James W. Hunt, the assistant manager of the Oriental Mining company, an American corporation holding a Korean concession, was one of the through passengers on the S. S. Manchuria, on his way to the mainland for a vacation. Mr. Hunt has spent the past seven years in Korea and is an enthusiastic admirer of the Koreans as workmen, giving them the preference over both the Chinese and Japanese.

The concession being developed by the Oriental company consists of the Won San district, thirty miles square, and, as the work has proven, is one of the best mining sections of the country. At the present time the ledges being worked upon are keeping 250 stamps at work, the average monthly gold output being 200,000 yen. In addition, recent prospecting work has shown that there are immense placer deposits in the concession which will be opened up and worked at once.

"The Korean laborers now in Hawaii are drafted altogether from the seaport," said Mr. Hunt. "As a matter of fact the Korean is the pick of all the Orientals as a workman. I have worked Chinese, Japanese and Koreans during the past seven years and I have not the slightest hesitation in saying that the Korean is decidedly the best. Just now we have 2500 of them at the mines. We pay them 25 cents a day and on that wage they can live well and save money. In comparison with the cost of living here and there that is more money than the plantation hands receive in Hawaii."

"There is nothing in the reports of the revolution in Korea. It is all newspaper talk, although it is true enough that the people there are not taking kindly to the Japanese occupation of the country. The Japanese have not treated the people there at all fairly, although they have not interfered in our concession rights. All over the country they are seizing rice lands and paying for it only about thirty per cent. of its value. For their railroad right-of-way from Seoul to Anju they have confiscated enough land to build a three-track line, paying nothing for it and forbidding the use of any of it to the farmers along the line. When they were building this railway during the war they forced the Koreans to work on it and paid them nothing. They would seize a merchant, for instance, daub some paint on his cheek and put him to work. Some of our miners left us at this time to work on the railroad and as carriers for the army, being promised 50 cents a day, but they soon ran away and came back to us because they could not collect any of their wages."

"It is almost impossible to get any concessions in Korea now. There is lots of mineral there, but the Japanese will not let any of it go unless they are in control of the companies formed, and they want this control without putting up any money for it."

For there is risk in plucking any of the laurels already awarded the President. A mass of campaign material is being prepared here. It will not be ready for general circulation till along into September, but will emphasize the work of the first session of Congress and supplement the work of the army of Republican orators, which will begin to move about that time.

The Democrats are doing nothing as a Congressional organization. They are incapable of any effective work in that direction. Their headquarters here will prepare some campaign literature, write a few circular letters to candidates, and help in getting speakers to go upon the stump. They have no prospects of securing any campaign fund. Northern candidates have no confidence in the committee. Their attitude is well expressed by a New England Democratic Congressman, who said some weeks ago that he should not advise any friends of Democracy to send money to the committee. "What little we can raise in my district," he added, "I shall advise using right at home. It will all be needed to meet necessary expenses in the state. Our local Democrats can handle it more wisely than anybody in Washington."

ELECTORAL SIGNS.

The September elections in New England will be scanned this year, as usual, for a sign, but in some respects the election in Representative Littlefield's second Maine district will be to the Republicans of the country at large most interesting of all. He has the unqualified official opposition of the American Federation of Labor. Next to Speaker Cannon himself, there is no Republican candidate whom President Gompers would better like to defeat for reelection. And it is the uncertainty about the attitude of organized labor, which causes pessimistic Republicans to dwell so much upon that overworked phrase—"general unrest."

The normal Republican majority in Mr. Littlefield's district is several thousand. Mr. Gompers has already been in the district this year and promises to go there on a stumping tour later on. If he fails to "make good" in his threat that the Federation is strong enough to defeat Congressmen who incur its displeasure, he will lose in the first open test of the campaign. The demoralizing effect upon his pretensions in other districts that held elections in November can easily be forecasted, if Mr. Littlefield runs ahead of the rest of the ticket in the second district or if he has anything like a normal majority.

Considerable of the Republican uneasiness is due to a feeling that their own voters may be indifferent. In years gone by they have had plenty of money to get the indifferent voters out. They will have a lot of money this year, gathered from numerous sources, but probably not enough to use as lavishly as heretofore for that purpose. There have also been indications that the business world will be in an unfriendly mood. Some disquieting reports have been received from manufacturers, who are large employers of labor. These men may prefer at least to remain neutral in the coming campaign, where they have been important factors in rolling up Republican majorities.

There has been a rough Democratic canvass of congressional districts, since adjournment. It shows prospects of electing hardly more than 120 Democratic members, unless there be an upheaval. The Democrats feel gloomy because they contemplate these surface conditions; the Republicans because they are afraid of what may be under the surface.

HERBERT G. WALKER.

In the annual report of the Governor of Alaska, which has been received at the office of Secretary Atkinson, appears this paragraph:

"MATRIMONY.

"The males predominate. This is easily accounted for by reason of the life of adventure that is before any young man of health and courage that comes to this country. Many have come and they thoroughly enjoy it, but they have not been as successful in fortune as they expected, yet have not given up the struggle. They have too much pride to return to their old homes for a visit and for a wife. Most of them are as fine specimens of manhood as ever stood on two feet. It is noticed that schoolmasters and other young women who come here do not reside in a place but a short time before some worthy admirer turns up and tells the old story. A number of these chose matrimony during the past year. There should be no such thing as race suicide in Alaska, where we have more than nine square miles per capita. It is a delicate matter and not easy to arrange, but it is desirable to have more young women of good mind and health to try this western life and home building. Those who have a love of children and desire to rear a family should learn what special advantages Alaska has to hold for them."

Here is a chance for eligible young women. "As fine specimens of manhood as ever stood on two feet," are literally going a-begging for wives; and are too proud, poor fellows, to go to any land where wives may be had for the asking. Of course there are plenty such lands. Every married man has found a land of that kind, at some time or another in his life, and many married men have found two or three.

The arduous life of these husky young Alaskans is shown in the fact that the school ma'ams that go there are snapped up in no time at all. It might appear, indeed, that every ice hummock has a willing bachelor roosting on it, waiting for a school ma'am or something to come along, so as to have his chance. And while, of course, as the Governor of Alaska aptly remarks, there is really small chance for race suicide in Alaska so long as this condition continues—unless the forlorn bachelors should all get the suicide fever at once—there does seem to promise a small chance for the race to get an education—that is, the coming race—or, the well, as the Governor says, this is a delicate subject. Babies are delicate.

Anyway, there would seem to be a call for mercy here, and ladies are proverbially known for their devotion to works of mercy. It is comparatively easy to get to Alaska, as steamers run now.

CHAMBERLAIN'S COLIC, CHOLERA AND DIARRHOEA REMEDY.

The great success of this preparation in the relief and cure of bowel complaints has brought it into almost universal use. It never fails, and when reduced with water and sweetened is pleasant to take. It is equally valuable for children and adults, and is the only remedy that will cure chronic diarrhoea. Every bottle is warranted. For sale by all Dealers and Druggists, Benson, Smith & Co., Ltd., Agents for Hawaii.

"Practically all the development in Korea is being done by American corporations. Our company, with headquarters at 38 Broad street, New York, is the largest, and Kolbern & Bostwick, who own the Seoul street railway system, is the next. I expect to pass through Honolulu again this fall on my return."